

HOUSE BILL 1013

By Hicks G

AN ACT to amend Tennessee Code Annotated, Title 33  
and Title 71, relative to services for persons with  
intellectual and developmental disabilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 33-5-108, is amended by deleting the  
section and substituting:

(a) As used in this section:

(1) "Fiscal impact" means an increase, decrease, or other change in  
revenue, expenditures, or fiscal liability; and

(2) "Licensee" means an entity licensed by the department of intellectual  
and developmental disabilities.

(b) The department of intellectual and developmental disabilities shall assess in  
writing the fiscal impact on licensees of a change to a rule, regulation, policy, or  
guideline related to the staffing, physical plant, or operating procedures of the licensee  
for rendering services pursuant to a contract, grant, or agreement with the department,  
the bureau of TennCare, or a managed care organization that participates in the  
TennCare program.

(c)

(1) Except as provided in subdivision (c)(2), no less than thirty (30) days  
before the change in the rule, regulation, policy, or guideline is to take effect, the  
commissioner of intellectual and developmental disabilities shall transmit the  
estimate of fiscal impact to the finance, ways and means committees of the

house of representatives and the senate, and to the comptroller of the treasury for review.

(2) If exigent circumstances, such as an unforeseen court order, require a change to be implemented sooner than the thirty-day period described in subdivision (c)(1), then the commissioner of intellectual and developmental disabilities shall:

(A) Provide a written statement describing the exigent circumstances that prevented the thirty-days' notice in accordance with subdivision (c)(1) to the finance, ways and means committees of the house of representatives and the senate, and to the comptroller of the treasury no later than five (5) days after implementing the change; and

(B) Transmit the estimate of fiscal impact required by this section to the finance, ways and means committees of the house of representatives and the senate, and to the comptroller of the treasury within sixty (60) days after implementing the change.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.